CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

JANUARY 16, 2007

INVOCATION:
Assistant City Manager Haydon gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Orach led the pledge of allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino

STAFF MEMBERS PRESENT
City Manager Ness, City Attorney Trujillo, Assistant City Manager Haydon, Police Chief Macagni, Community Development Director Lindsey, Fire Chief Ortiz, Director of Utilities Sweet, Director of Public Works/City Engineer Whitehead, Director of Recreation and Parks Posada, and Chief Deputy City Clerk Perez.

VOLUNTEER OF THE MONTH
Councilmember Zacarías acknowledged Max Tucker representing Santa Maria Valley Beautiful, as the Recreation and Parks Department Volunteer of the Month for January 2007, for its dedication in maintaining the Perlman Rose Garden located on the corner of Main Street and Broadway, beautifying the community throughout the year by planting numerous flowers, plants and trees, and ridding the valley of tons of litter by working in cooperation with adult and youth civic groups within the community. Mr. Tucker introduced the other members of Santa Maria Valley Beautiful who were in attendance.

PROCLAMATION – RESPECT FOR LIFE
Councilmember Patino read a proclamation declaring the week of January 21st through 27th, 2007, as "Respect for Life Week" in the City of Santa Maria. The proclamation was accepted by Jan Rush.

PUBLIC COMMENT
Don Fern spoke regarding trash in the street and against the curbs from overflowing trash cans and the street sweepers not being able to adequately sweep the streets due to cars parked along the curbs. He requested the Council consider restricting parking on street sweeping days and suggested sending notices in the water bills.
Mayor Lavagnino asked Director of Public Works/City Engineer Whitehead to meet with him and the City Manager to discuss what options were available.

CONSENT CALENDAR
Councilmember Patino requested Item 3F be pulled for comment. Mayor Lavagnino requested Items 3F, 3H, and 3I be pulled for discussion. Councilmember Zacarías requested Item 3E be pulled for comment.

Item 3E – Multi-Hazard Functional Plan Update
Councilmember Zacarías thanked the Fire Department for providing her with a copy of the document. She said what she read was very impressive and she looked forward to learning more about how the City would handle natural disasters. She asked how the public was involved in the development of the plan and what accommodations would be made for individuals with limited language abilities or physical infirmities. She requested that the next time the document was updated, there was a public component

included. She said she wanted to make sure the community knew what a great job the City would do in the event of a disaster.

Item 3F – Four-way stop sign on Preisker Lane and Hidden Pines Way
Councilmember Patino stated Diane Lapham came to the City Council on December 19th and requested this four-way stop. She also went to the Traffic Committee meeting. The Traffic Committee determined that the location did not meet the requirements for a four-way stop. However, they noted the high number of left turns from Preisker Lane onto Hidden Pines Way and are recommending approval of the four-way stop. People need to get involved because it is people who live in the neighborhoods that know what goes on there.

Mayor Lavagnino asked if this was the intersection that enters into Hidden Pines Mobilehome Park.

Public Works Director/City Engineer Whitehead replied that it was not.

Item 3H – No stopping zone on McClelland Street
Mayor Lavagnino stated the City Council brought this up because of the sight distance problems at the Department of Motor Vehicles. The no stopping zone will solve the problem where people coming out of the driveway of the DMV can't see cars traveling on McClelland Street.

Item 3I – Agriculture Worker Transportation Grant Application
Mayor Lavagnino stated this started several years ago with a lawsuit and a settlement in which the County and the City entered into an agreement to do a pilot project. The City of Santa Maria contributed $50,000, and the County was supposed to administer the program. The County dropped the ball, and the City is picking up the ball and going forward with the grant application.

Jesus Estrada spoke in Spanish about the importance of a farm worker transportation program. It was two years ago that the proposal was initiated at the County Board of Supervisors meeting saying it was a very necessary program for the people. Nothing has happened. That is why it is important to put it in operation. There are programs in Bakersfield and in Paso Robles. The people in Paso Robles are willing to offer the service here if the City and County give them the contract.

Natalia Bautista spoke in Spanish regarding farm worker transportation. The program is necessary, and it has already been two years. The program should be implemented. In March, the work picks up and that is when the program is most needed. She said the agriculture workers go from one field to another and they need transportation. They are currently paying large sums of money to be transported. This has been discussed for two years, and it is a good time to proceed with the plan. Bakersfield and Paso Robles already have programs in place. Santa Maria has a lot of agriculture workers who need this.

Mary Jacka commented that there has been a planning committee working on a plan and money for a plan. There have been numerous community meetings in which the farm worker community participated. They were told that vans were going to be purchased and a pilot program started in March of 2006. Farm worker transportation would eliminate so many of the issues that are brought up at the Council meetings – traffic, lack of insured autos and unlicensed drivers. This would be an excellent way to address some of those issues. She recommended this grant money not be used for planning, that it be used for operations.

City Manager Ness explained that based on the settlement agreement, the County is responsible for initiating, creating, establishing, operating and monitoring the system. The City is not. The City is only going forward with the grant application. He said it was his understanding that the grant funds could only be used for planning and technical assistance, not for operating purposes. He asked Public Works Director/City Engineer Whitehead for clarification.

Public Works Director/City Engineer Whitehead stated the description of the planning grant from the State of California is that it can actually be used for service implementation. He read excerpts from the grant application.

Vibiana Saavedra spoke in favor of the grant application. She said she was glad the grant funds could be used for the implementation of a program; however, planning needs to be done. Even though the County is taking the lead, she asked that the City be the watch dog to make sure the program is completed. Most of the workers live in the City of Santa Maria, and they deserve to have the Council as their advocate. She said an agency was going to be hired to do the work and requested an agency be selected who would do quality work in setting up a program that is viable.

Toru Miyoshi commented that personally and philosophically he did not see any justification for government to provide transportation for any employees to their place of employment. If employees are in need of transportation aid, the employers should be funding the program not the taxpayers. Santa Barbara County Association of Governments determined that this was not an unmet need. He said he perceived there would be no end to this type of government subsidy to the agriculture industry. Even though it was one of the more important industries in Santa Maria, he did not think the taxpayers should be subsidizing their needs. He expressed concern about the long-term costs of the program.

Consent Calendar Items A through J were approved on motion by Councilmember Zacarías, seconded by Councilmember Trujillo, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar are adopted by the same vote cast at the first reading unless City Council indicates otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of January 2, 2007, were approved as submitted.

C. WARRANTS
Warrant Nos. 131940 to 132158 in the amount of $2,313,737.29 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 127721, 131937, and 132036 were canceled.

D. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

E. MULTI-HAZARD FUNCTIONAL PLAN
Resolution No. 2007-05 was adopted accepting the 2007 updated SEMS/NIMS Multi-Hazard Functional Plan for management of disasters within the City.

Resolution No. 2007-05 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING THE 2007 UPDATED MULTI-HAZARD FUNCTIONAL PLAN

F. FOUR-WAY STOP
Resolution No. 2007-06 was adopted approving the establishment of a four-way stop at the intersection of Preisker Lane and Hidden Pines Way.

Resolution No. 2007-06 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ESTABLISHING A FOUR-WAY STOP AT PREISKER LANE AND HIDDEN PINES WAY PURSUANT TO SECTION 7-5.20 OF THE SANTA MARIA MUNICIPAL CODE

G. NO STOPPING ZONE

Resolution No. 2007-07 was adopted approving the establishment of a no stopping zone on Caballero Lane near Calle Grande Circle.

Resolution No. 2007-07 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING A NO STOPPING ZONE ON CABALLERO LANE PURSUANT TO SECTION 7-5.16 OF THE SANTA MARIA MUNICIPAL CODE

H. NO STOPPING ZONE

Resolution No. 2007-08 was adopted approving the establishment of a no stopping zone on McClelland Street near Boone Street.

Resolution No. 2007-08 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING A NO STOPPING ZONE ON McCLELLAND STREET PURSUANT TO SECTION 7-5.16 OF THE SANTA MARIA MUNICIPAL CODE.

I. AGRICULTURE WORKER TRANSPORATION PROGRAM

Resolution No. 2007-13 was adopted directing staff to submit a planning grant application to Caltrans for funding through the Agriculture Worker Transportation Program.

Resolution No. 2007-13 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AND AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR FUNDING OF A GRANT FROM THE AGRICULTURAL WORKERS TRANSPORTATION PROGRAM (AWTP)

J. ANNEXING AND ASSESSING PROPERTIES

Resolution Nos. 2007-09, 2007-10 and 2007-11 were adopted annexing six parcels into the Northeast, Northwest and Southwest Landscape Maintenance Districts.

Resolution No. 2007-09 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ANNEXING AND AUTHORIZING THE ASSESSMENT OF LANDSCAPE MAINTENANCE FEES TO OFFICE BUILDING FOR C&P INVESTMENT COMPANY LOCATED IN THE NORTHEAST LANDSCAPE MAINTENANCE DISTRICT (STREET AND HIGHWAYS CODE SECTION 22500, ET. SEQ.)

Resolution No. 2007-10 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ANNEXING AND AUTHORIZING THE ASSESSMENT OF LANDSCAPE MAINTENANCE FEES TO HUNTER MIXED USE AND BARKY DENTAL OFFICE LOCATED IN THE NORTHWEST LANDSCAPE MAINTENANCE DISTRICT (STREET AND HIGHWAYS CODE SECTION 22500, ET. SEQ.)

Resolution No. 2007-11 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ANNEXING AND AUTHORIZING THE ASSESSMENT OF LANDSCAPE MAINTENANCE FEES TO DAVID SOLA PROJECT, COMMERICAL MANUFACTURING PROJECT AND OKONITE PLANNED EXPANSION LOCATED IN THE SOUTHWEST LANDSCAPE MAINTENANCE DISTRICT (STREET AND HIGHWAYS CODE SECTION 22500, ET. SEQ.)

ZONING TEXT AMENDMENTS

Community Development Director Lindsey gave the staff report. This is a proposed ordinance making zoning text amendments to delete Senior Citizen Housing from the list of conditional uses in Chapter 8 (R-3, High-Density Residential), Chapter 10 (CPO, Commercial Office and Professional Office), and Chapter 13 (C-2, General Commercial) of Title 12 of the Municipal Code. The primary intent is to remove senior citizen housing in zoning districts where no other housing types are permitted and allow senior citizen housing in zoning districts the same as other housing types. This change is recommended in order to comply with Government Code Section 65008(b)(1) which prohibits the City from using its zoning powers to require a project to be senior citizen housing or create zones where only senior citizen housing projects would be permitted. On December 6, 2006, the Planning Commission adopted Resolution No. 2447 recommending that the City Council approve the filing of a Negative Declaration of Environmental Impact for E-2006-075 and Resolution No. 2448 recommending the City Council adopt an ordinance amending Title 12 of the Santa Maria Municipal Code to delete senior housing from certain zones. Both resolutions were adopted on a 5-0 vote.

Mayor Lavagnino asked if this meant there would be no such thing as senior citizen housing anymore.

Community Development Director Lindsey explained that it meant that the City, in the implementation of its zoning ordinances, could not discriminate on the basis of age, and senior housing was a classification based on age. If a land use qualified under the zoning ordinance, a developer could still elect to build a senior complex.

City Attorney Trujillo indicated that these amendments had no effect on the incentives for senior citizen housing which were still in place. Senior citizen housing was still up to the developer, and the City still encourages those types of developments.

Mayor Lavagnino opened the public hearing. As there were no requests to speak, Mayor Lavagnino closed the public hearing.

Resolution No. 2007-12 was adopted approving the filing of a Negative Declaration of Environmental Impact for E-2006-075 on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2007-12 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, FINDING NO DETRIMENTAL ENVIRONMENTAL IMPACT AND DIRECTING THE FILING OF A NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT REGARDING AMENDMENTS TO CHAPTER 8, 10 AND 13 OF TITLE 12 TO THE SANTA MARIA MUNICIPAL CODE, E-2006-075.

Ordinance No. 2007-01, making zoning text amendments to delete senior citizen housing from the list of conditional uses in Chapter 8 (R-3, High-Density Residential), Chapter 10 (CPO, Commercial Office and Professional Office), and Chapter 13 (C-2, General Commercial), was introduced by title only for first reading and continued to the next meeting for second reading and adoption on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2007-01 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING CHAPTERS 12-8, 12-10, AND 12-

13 OF THE SANTA MARIA MUNICIPAL CODE, PERTAINING TO SENIOR CITIZEN HOUSING.

APPOINTMENTS TO BOARDS/COMMITTEES AND COMMISSIONS

Chief Deputy City Clerk Perez gave the staff report. The terms of certain members of the All-America City Committee, the Code Compliance Board, the Landmark Committee, the Planning Commission, and the Recreation and Parks Commission are due to expire on January 31, 2007. Staff has advertised these vacancies and solicited applications. As insufficient applications were received to fill the five vacancies on the All-America City Committee, staff is recommending the deadline be extended to January 24th. All three incumbents have reapplied for the Code Compliance Board, and no other applications were received. Only one application was received for the Landmark Committee. One vacancy remains which staff is recommending the Council direct be readvertised. Two applications were received for the two vacancies on the Planning Commission. These terms are coterminous with the terms of the nominating Councilmembers, Councilmembers Patino and Zacarías. Four applications were received for the two vacancies on the Recreation and Parks Commission. These terms are also coterminous with the terms of Councilmembers Patino and Zacarías.

All-America City Committee

Council directed staff to extend the deadline for applications until January 24th.

Code Compliance Board

Councilmember Orach nominated David Cleveland for another term. Councilmember Patino nominated Ronald Ferrari for another term. Councilmember Trujillo nominated Nancy Stewart for another term.

On motion by Councilmember Orach, seconded by Councilmember Zacarías, and carried unanimously, the nominations were approved; and David Cleveland, Ronald Ferrari, and Nancy Stewart were reappointed for a two-year term on the Code Compliance Board.

Landmark Committee

Mayor Lavagnino moved to appoint incumbent Joe Johnson for a three-year term. Councilmember Trujillo seconded the motion. The motion carried unanimously.

Planning Commission

Councilmember Patino nominated incumbent Henrietta Waterfield to serve another four-year term on the Planning Commission. Councilmember Zacarías nominated Adrian Andrade to serve a four-year term.

On motion by Mayor Lavagnino, seconded by Councilmember Trujillo, and carried unanimously, Henrietta Waterfield and Adrian Andrade were appointed to the Planning Commission.

Recreation and Parks Commission

Councilmember Patino nominated incumbent Henry Grennan to serve another four-year term on the Recreation and Parks Commission. Councilmember Zacarías nominated Terri Zuniga to serve a four-year term.

On motion by Mayor Lavagnino, seconded by Councilmember Orach, and carried unanimously, Henry Grennan and Terri Zuniga were appointed to the Recreation and Parks Commission.

Terri Zuniga thanked the Council for appointing her. She said she was really excited about the opportunity to work on the Recreation and Parks Commission. She said she had worked with Recreation and Parks Director Alex Posada in the past when she was with Domestic Violence Solutions and was looking forward to working with him again.

Mayor Lavagnino thanked all the appointees for their willingness to serve the City.

CITY MANAGER'S REPORT
City Manager Ness reported on items for the February 6, 2007, City Council meeting including appointments to the Block Grants Advisory Committee, the All-America City Committee, and the Landmark Committee; a Business Retention and Attraction Loan; and a report on televising Planning Commission and Recreation and Parks Commission meetings.

ORAL REPORTS BY COUNCILMEMBERS
Councilmember Trujillo reported on his attendance at the League of California Cities Mayors & Council Members Academy - Leadership Institute in Sacramento on January 10 – 12, 2007. He also reported on his attendance at the Dr. Martin Luther King, Jr. program on Sunday, January 14th at Allan Hancock College.

Councilmember Trujillo commented on an article in the newspaper regarding the Guadalupe City Council appointing Mr. Julian to fill the vacancy on the Council rather than holding a special election in order to save money. He said that was why the City of Santa Maria had made appointments to the Council in the past.

Councilmember Trujillo presented Beary, the Library Bear, and talked about the fundraising efforts in progress to raise money to fund the children's, youth, and senior sections of the new library.

Councilmember Patino also reported on attending the League of California Cities Mayors & Council Members Academy - Leadership Institute in Sacramento. She also reported that on Saturday, January 13th, Fighting Back Santa Maria Valley held its Super Star Showdown which was another success. The high school students from the area got to display their talent, and there were some very talented students. On Friday night, January 19th, Fighting Back Santa Maria Valley will be doing another educational program at the Board of Supervisors Chambers. Deputy Sandra Brown will speak on cocaine.

Councilmember Zacarías stated a member of the public asked about the City's expenditure policy and the payment of warrants which is part of the Consent Agenda. She explained to the public that warrants were the checks that the City writes to pay its bills. The Council approves the budget, and as long as the expenditures stay within that budgeted amount, it is considered approved.

Councilmember Zacarías encouraged the public to apply for the positions on the All-America City Committee which currently has five vacancies. She said her son, in her absence, went to the three different high schools to recruit high school students to apply for the youth appointment on the All-America City Committee.

Councilmember Zacarías also reported on her attendance at the League of California Cities Mayors & Council Members Academy - Leadership Institute in Sacramento. She said it was fantastic. One of the things she learned was the importance of asking questions of staff before the Council meeting. She said she attended the Practical Ethics and Law course and the Introduction to Finance course.

Councilmember Zacarías reported on attending the Dr. Martin Luther King, Jr. program on Sunday, January 15th and said they looked forward to having more participation next year.

Councilmember Orach stated he also attended the Dr. Martin Luther King, Jr. celebration. He said it was quite an event and encouraged everyone to attend next year. The speaker, Dr. Roberts, was one of the Little Rock Nine students who fifty years ago integrated the Arkansas public school system.

Mayor Lavagnino talked about the progress of the new library, and the fact that it was being constructed without having to go to the taxpayers for a bond measure.

CLOSED SESSION
Council recessed to Closed Session at 7:30 p.m. for Conference with Labor Negotiator pursuant to Section 54957.6 of the Government Code; Agency representative: Assistant City Manager; Employee organization: Santa Maria Police Officers Association (SMPOA).

After the Closed Session, the following was announced:

Conference with Labor Negotiator: SMPOA - Direction to staff was given.

ADJOURNMENT
There being no further business to come before the City Council at this time, the meeting was declared adjourned at 7:59 p.m. by order of Mayor Lavagnino.

APPROVED

February 6, 2007
Date

ATTEST

Chief Deputy City Clerk

Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

Mayor of the City of Santa Maria